

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHEASTERN DIVISION**

MARK ANTHONY PARTAIN, )  
                                  )  
Petitioner,                )  
                                  )  
vs.                            )    ACTION NO. 5:10-cv-2520-MHH-JHE  
                                  )  
WARDEN BILLY MITCHEM,    )  
ET AL.,                    )  
                                  )  
Respondents.              )

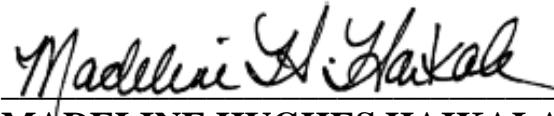
**MEMORANDUM OPINION**

This matter concerns a 28 U.S.C. § 2254 habeas corpus petition. On December 20, 2013, the magistrate judge entered a report in which he recommended that the Court grant the respondents' motion for summary judgment and dismiss the action. (Doc. 7). Mr. Partain filed a timely objection to the report and recommendation, (Doc. 8); however, his objection does not address the grounds on which the magistrate judge recommended dismissal of this action.

The Court has reviewed the record in this action, including the report and recommendation and Mr. Partain's objection to the report and recommendation. The Court ADOPTS AND APPROVES the magistrate judge's findings and ACCEPTS his report and recommendation.

Accordingly, this habeas petition is due to be dismissed. An appropriate order will be entered.

**DONE** and **ORDERED** this 6th day of January, 2014.

  
**MADELINE HUGHES HAIKALA**  
UNITED STATES DISTRICT JUDGE